**South Carolina General Assembly**

121st Session, 2015-2016

**H. 4644**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Rutherford

Document Path: l:\council\bills\agm\18830ab16.docx

Introduced in the House on January 13, 2016

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Board of Pharmacy

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2016 House Introduced and read first time ([House Journal‑page 13](file:///h:\HJ%20Archive\2016\01-13-16.docx))

1/13/2016 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 13](file:///h:\HJ%20Archive\2016\01-13-16.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=4644&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/13/2016](file:///p:\pprever\2015-16\4644_20160113.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑43‑185 SO AS TO PROVIDE THE BOARD OF PHARMACY SHALL ISSUE A WRITTEN PROTOCOL IN COMPLIANCE WITH WHICH PHARMACISTS, WITHOUT AN ORDER OF A PRACTITIONER, MAY PRESCRIBE AND DISPENSE HORMONAL CONTRACEPTIVE PATCHES AND SELF‑ADMINISTERED ORAL HORMONAL CONTRACEPTIVES; TO PROVIDE THE BOARD ALSO SHALL ADOPT CERTAIN RULES TO ESTABLISH STANDARD PROCEDURES FOR THESE PRESCRIPTIONS AND DISPENSATIONS; AND TO PROVIDE THAT LAWS GOVERNING INSURANCE COVERAGE OF CONTRACEPTIVE DRUGS, DEVICES, PRODUCTS, AND SERVICES MUST BE CONSTRUED TO APPLY TO HORMONAL CONTRACEPTIVE PATCHES AND SELF‑ADMINISTERED ORAL HORMONAL CONTRACEPTIVES PRESCRIBED AND DISPENSED PURSUANT TO THIS ACT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 43, Title 40 of the 1976 Code is amended by adding:

“Section 40‑43‑185. (A) The Board of Pharmacy shall issue a written protocol in compliance with which a pharmacist, without an order of a practitioner, may prescribe and dispense hormonal contraceptive patches and self‑administered oral hormonal contraceptives to a person who is:

(1) at least eighteen years of age, regardless of whether the person provides evidence of a previous prescription from a primary care practitioner or women’s health care practitioner for a hormonal contraceptive patch or self‑administered oral hormonal contraceptive; or

(2) under eighteen years of age and provides evidence of a previous prescription from a primary care practitioner or women’s health care practitioner for a hormonal contraceptive patch or self‑administered oral hormonal contraceptive.

(B)(1) The board shall adopt rules to establish standard procedures for the prescribing of hormonal contraceptive patches and self‑administered oral hormonal contraceptives by pharmacists. In promulgating these regulations, the board shall:

(a) consult with the Board of Medical Examiners, the Board of Nursing, and the Department of Health and Environmental Control; and

(b) consider guidelines established by the American Congress of Obstetricians and Gynecologists.

(2) Rules adopted pursuant to this section must require a pharmacist to:

(a) complete a training program approved by the State Board of Pharmacy that is related to prescribing hormonal contraceptive patches and self‑administered oral hormonal contraceptives;

(b) provide a self‑screening risk assessment tool that the patient must use prior to the pharmacist’s prescribing the hormonal contraceptive patch or self‑administered oral hormonal contraceptive;

(c) refer the patient to the patient’s primary care practitioner or women’s health care practitioner upon prescribing and dispensing the hormonal contraceptive patch or self‑administered oral hormonal contraceptive;

(d) provide the patient with a written record of the hormonal contraceptive patch or self‑administered oral hormonal contraceptive prescribed and dispensed and advise the patient to consult with a primary care practitioner or women’s health care practitioner; and

(e) dispense the hormonal contraceptive patch or self‑administered oral hormonal contraceptive to the patient as soon as practicable after the pharmacist issues the prescription.

(3) Rules adopted pursuant to this section must prohibit a pharmacist from:

(a) requiring a patient to schedule an appointment with the pharmacist for the prescribing or dispensing of a hormonal contraceptive patch or self‑administered oral hormonal contraceptive; and

(b) prescribing and dispensing a hormonal contraceptive patch or self‑administered oral hormonal contraceptive to a patient who does not have evidence of a clinical visit for women’s health within the three years immediately following the initial prescription and dispensation of a hormonal contraceptive patch or self‑administered oral hormonal contraceptive by a pharmacist to the patient.

(C) All state and federal laws governing insurance coverage of contraceptive drugs, devices, products, and services must be construed to apply to hormonal contraceptive patches and self‑administered oral hormonal contraceptives prescribed by a pharmacist under this section.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑